

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

2012 JUL -6 PM 1:54

DEPUTY CLERK *RW*

AARON R GLASSPOOLE,

Petitioner,

v.

DAVID DUKE,

Respondent.

Civil No. 7:11-CV-089-O-BL

Referred to U.S. Magistrate Judge

REPORT AND RECOMMENDATION

This is a petition for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254 by a person who, at the time of filing, was confined to the Wichita County Jail Annex in Wichita Falls, Texas. On May 1, 2012 (Doc. 4), the Court entered an order referring this matter to the United States Magistrate Judge for pretrial management. On May 15, 2012, the Court's order was returned to the Clerk of Court as undeliverable. Stamped on the front of the envelope are the words "ATTEMPTED TO LOCATE . . . RETURN TO SENDER . . . NOT IN CUSTODY." Further, on May 14, 2012 (Doc. 5), the Court entered an order granting Petitioner's motion to proceed in forma pauperis. On May 25, 2012, the Court's order was returned to the Clerk of Court as undeliverable. Stamped on the front of the envelope are the words "RETURN TO SENDER . . . UNABLE TO FORWARD." Because Petitioner's current address is unknown, this case cannot proceed.

IT IS, THEREFORE, RECOMMENDED that this case be dismissed without prejudice to Petitioner's right to re-open the case, provided he files a written request within thirty days of the date of this order and provides the Court with his current address. After thirty days, Petitioner will be required to file a new case if he wishes to pursue his grounds for habeas relief.

SO ORDERED.

Dated this 5th day of July, 2012.



E. SCOTT FROST
UNITED STATES MAGISTRATE JUDGE